

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

UNITED STATES OF AMERICA, )  
 )  
 )  
v. ) No. 1:07-CR-139-TRM-CHS-1  
 )  
 )  
EZRIK ALEXANDER WHALEY )

**MEMORANDUM AND ORDER**

Defendant Ezrick Alexander Whaley appeared before the Court for a hearing on July 22, 2025, in accordance with Rules 5 and 32.1 of the Federal Rules of Criminal Procedure on the Petition and Order for Warrant for an Offender Under Supervision [Doc. 58 (the “Petition”)] in the above matter.

Defendant was placed under oath and informed of his constitutional rights. The Court determined that Defendant wished to be represented by an attorney and qualified for appointed counsel. The Court therefore appointed Paul Bergmann to represent Defendant. The Court also determined that Defendant had been provided with and reviewed with counsel a copy of the Petition.

The Government moved that Defendant be detained without bail pending his revocation hearing before U.S. District Judge McDonough. Defendant waived his right to a preliminary hearing. Defendant also waived his right to an immediate detention hearing but reserved the right to request a detention hearing upon motion at a later date.

Based upon the Petition and waiver of preliminary hearing, the Court finds there is probable cause to believe Defendant has committed violations of his conditions of supervised release as alleged in the Petition.

Accordingly, the Court **ORDERS** that:

(1) Counsel for Defendant and the Government shall confer and make best efforts to submit to U.S. District Judge McDonough a proposed Agreed Order with respect to an appropriate disposition of the Petition.

(2) In the event counsel are unable to reach agreement with respect to an appropriate disposition of the Petition, they shall request a hearing before U.S. District Judge McDonough.

(3) The Government’s motion that Defendant be **DETAINED WITHOUT BAIL** pending

further order from this Court is **GRANTED**.

SO ORDERED.

ENTER:

  
s/ \_\_\_\_\_  
MIKE DUMITRU  
UNITED STATES MAGISTRATE JUDGE